

Application No. 09/665,915  
Amendment dated May 17, 2005  
Reply to Office Action of February 18, 2005

## **REMARKS**

### **Status Of Application**

Claims 1-18 are pending in the application; the status of the claims is as follows:

Claims 3 and 9-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 1-8, 11, 13-16, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,932,761 to Shingaki et al. ("Shingaki") in view of U.S. Patent No. 6,081,321 to Miyagawa ("Miyagawa").

Claims 9, 12, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shingaki in view of Miyagawa, as applied to claims 1, 3, 15, above, and further in view of U.S. Patent No. 5,093,676 to Matsubara et al. ("Matsubara").

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Claim Amendments**

Claims 1, 4, 13, and 15 have been amended to incorporate allowable subject matter. These changes do not introduce any new matter.

### **35 U.S.C. § 112 Rejection**

The rejection of claims 3 and 9-12 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject

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matter which Applicants regard as the invention, is respectfully traversed based on the following.

Claims 3, 9 and 10 have been cancelled, mooted the rejection thereof.

It is respectfully submitted that the amendments to claims 11 and 12 overcome the rejections under § 112

Accordingly, it is respectfully requested that the rejection of claims 3 and 9-12 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, be reconsidered and withdrawn.

#### **35 U.S.C. § 103(a) Rejections**

The rejection of claims 1-9 and 11-18 under 35 U.S.C. § 103(a), as being unpatentable over various combinations of Shingaki, Miyagawa, and Matsubara, is respectfully traversed based on the following.

Claims 1, 4, 13, and 15 have been amended to incorporate the subject matter described in the Office Action as being allowable over the prior art. Accordingly, it is respectfully submitted that claims 1, 4, 13, and 15 distinguish over the prior art. Moreover, because each of claims 2, 5-8, 11, 14, and 16 depend from one of claims 1, 4, 13, and 15, they distinguish over the prior art for at least the same reasons as their respective base claim.

Accordingly, it is respectfully requested that the rejection of claims 1-9, and 11-18 under 35 U.S.C. § 103(a) as being unpatentable over combinations of Shingaki, Miyagawa, and Matsubara, be reconsidered and withdrawn.

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**CONCLUSION**

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.


If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

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and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's  
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Respectfully submitted,

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